

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

15

DECISION

TOPIC

**Notice of Intended Action--Chapter 40, Boating Speed and Distance
Zoning - Lake Odessa**

The Commission's approval is requested for publication of a Notice of Intended Action to amend Chapter 40 "Boating Speed and Distance Zoning." This amendment adds two areas to the no-wake areas designated for Lake Odessa.

The Lake Odessa narrow channels will be dredged in 2008 to allow hydraulic connection of water areas for fish movement during low-water periods in summer and winter. The life of these channels can be significantly extended by reducing boat wakes and resultant shoreline erosion. Both channels are well-protected from wind fetch and wave erosion so boat activity will be the primary source of shoreline erosion in these two locations.

Ken Herring, Administrator
Conservation and Recreation Division
April 10, 2008

Attachment: NOIA Chapter 40: Boating Speed and Distance Zoning - Lake Odessa

NATURAL RESOURCE COMMISSION[571]
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

Chapter 40 specifies the areas where limitations are needed to permit appropriate utilization of specific water areas.

This amendment adds two areas to the no-wake areas designated for Lake Odessa. These narrow channels will be dredged in 2008 to allow hydraulic connection of water areas during low water periods in summer and winter for fish movement. The life of these channels can be significantly extended by reducing boat wakes and resultant shoreline erosion. Both channels are well-protected from wind fetch and wave erosion so boat activity will be the primary source of shoreline erosion in these two locations.

Any interested person may make written suggestions or comments on the proposed amendment on or before May 29, 2008. Written comments may be sent to Bill Ohde, Odessa Wildlife Management Unit, 260 Mulberry, Suite 3, Wapello, Iowa 52653. Persons who wish to convey their views orally should contact Bill Ohde at (319)523-8319 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a public hearing on May 29, 2008, at at the Briggs Civic Center, 317 N. Water Street in Wapello, Iowa. At the hearing, persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement Iowa Code sections 462A.17, 462A.26 , and 462A.31.

The following amendment is proposed.

Amend rule 571—40.9(3) by adopting the following new subrule:

40.9(3) All motorboats, except authorized emergency vessels, shall be operated at no-wake speed year around, on those portions of Lake Odessa known as the Lateral Ditch, between the Main Lake and Bebee Pond, and on the channel between Yankee Chute and Beaver Pond.

Date

Richard A. Leopold, Director